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DATE FILED: 5/23/18

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SALUS CAPITAL PARTNERS, LLC,

Petitioner,

- against -

ANDREW MOSER,

Respondent.
-----X

AMENDED JUDGMENT

17 Civ. 5536 (NRB)

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

WHEREAS Salus Capital Partners, LLC ("petitioner") having petitioned to confirm the arbitration award issued in its favor against respondent Andrew Moser ("respondent"), and

WHEREAS respondent having moved to partially vacate the award, and

WHEREAS the Court, on January 16, 2018, having issued its Memorandum and Order granting the petition to confirm the arbitration award and denying the motion to partially vacate the award, and directing petitioner, if unable to resolve the issue with respondent within ten days, to move for an award of attorneys' fees incurred in this action ten days thereafter, and

WHEREAS petitioner, having filed a letter with this Court on January 19, 2018 waiving an award of attorneys' fees incurred in this action, and

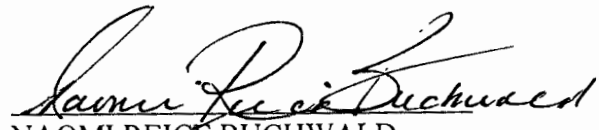
WHEREAS the Court, on February 7, 2018, having entered judgment in favor of petitioner in the total sum of \$2,626,994.21, plus pre-judgment interest from April 17, 2017, at the annual rate of nine percent, and post-judgment interest at the rate set by 28 U.S.C. § 1961, against respondent, and

WHEREAS the respondent having appealed from said judgment and said appeal having been docketed by the Clerk of the Second Circuit Court of Appeals, and

WHEREAS petitioner and respondent having agreed that, in consideration of respondent withdrawing the appeal, the judgment would be amended as herein set forth, it is

ORDERED and **ADJUDGED** that the Judgment entered February 7, 2018 be of no further force or effect and that, for the reasons stated in the Court's Memorandum and Order dated January 16, 2018, and based on the parties' stipulation, Judgment is hereby entered as of this day in favor of petitioner in the total sum of \$2,395,334.62 (which amount is inclusive of pre-judgment interest to the date of the Original Judgment), plus interest from February 7, 2018 at the rate set by 28 U.S.C. §1961, against respondent.

Dated: New York, New York
May, 23, 2018


NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE